

What you need to know when you negotiate MTAs and CTAs



How does tissue get transferred?

- Giving Tissue
 - MTAs
 - CTAs
- Receiving Tissue

Material Transfer Agreement (MTA)

- Institution to Institution (The Uniform Biological Material Transfer Agreement)
- Institution to Industry
- Institution to Government (eg., NIH)

What should you leave out of the MTA?

- Ownership
- Licensing provisions

Clinical Trial Agreement (CTA)

- The roles and responsibilities of all parties
- The goal: getting the drug or device to market

CTA specifics to watch for

- Confidentiality
- Informed Consent
- Intellectual Property
- Unrelated research



CTA – Additional Areas

- Bio-markers
- Prediction Models
- Additional specimens and add-on studies

“The Wild West”

- Private Bio-Repositories
- Private biobanks with business models revolving around your tissue and technology

Employees of the Institution

- Consultant
- Employee
 - Who owns what material
 - Dual appointments
- Employment Contracts

Four Take-Aways

- Have a system in place for transfer of tissue
- Consider derivative products and add-on studies
- Employee relationships
 - For incoming employees
 - For exiting employees
- Back-to-back agreements for 3rd parties